

REMARKS

The Abstract has been amended to correct the grammar.

I. Disposition of Claims

Claims 1, 2, 4-7, 10-12, 14 and 15 are pending in the application and are rejected.

Claims 1, 5, 6, 7 and 10 have been amended editorially to more particularly point out that which Applicants regard as the invention and to correct obvious clerical errors.

Accordingly, no question of new matter arises and entry of the amendments is requested, respectfully.

II. Priority under 35 U.S.C. § 119

The Examiner has not acknowledged Applicants' claim for priority nor receipt of the certified copy of the priority document.

PAIR indicates that the priority document was received on May 23, 2005. Accordingly, the Examiner is requested to properly acknowledge Applicants' claim to priority and receipt of the priority document.

III. Information Disclosure Statement

The Examiner returned a copy of PTO/SB/08 submitted with the Information Disclosure Statement filed March 23, 2005. Two references were crossed out, because the International Bureau had not provided copies of these references as it should have done.

Applicants want the two references considered. Accordingly, copies of the references are submitted herewith along with a duplicate copy of the PTO/SB/08 submitted March 23, 2005. The Examiner is requested to consider the references and so indicate on the PTO/SB/08.

IV. Objection to the Abstract

The Examiner objected to the Abstract because it contains grammatical errors.

The Abstract has been amended to correct the grammatical errors.

V. Claim Rejections - 35 U.S.C. §112, first paragraph

A. Claims 5, 6 and 10-13 were rejected under 35 U.S.C. §112, first paragraph, as lacking written description.

The Examiner asserted that amending these claims to recite a compound rather than a composition mischaracterizes the invention. the Examiner explained that he understands the invention to be a compound of claim 1 that is complexed to a metal ion, as opposed to a compound that is covalently bound to a metal ion.

The Examiner is correct. Accordingly, claims 5, 6 and 10-12 have been amended to once again recite a composition. Claim 13 has been canceled.

The Examiner is thanked for bringing this issue to the attention of the undersigned.

B. Claims 5, 6 and 10-13 were rejected under 35 U.S.C. §112, first paragraph as lacking enablement. Again, the Examiner asserted that the subject matter of claim 5 should be a composition and not a compound. The Examiner stipulated that if the subject matter is recited as a composition, then the claims are enabled. Applicants' confirm that the physical structure of the subject matter of the compound according to claim 1 labeled with a metal is, in fact, a composition, as asserted by the Examiner.

Accordingly, the claims have been amended to recite a composition.

C. Claim 13 was rejected as lacking enablement.

Claim 13 has been canceled, making this rejection moot.

VI. Claim Rejections - 35 U.S.C. § 112, second paragraph

Claims 1, 2, 4-7 and 10-15 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for various reasons.

- The Examiner asserted that in claim 1, the parentheses around the definitions of the substituents should be deleted.

Claim 1 has been amended to remove the parentheses.

- The Examiner asserted that claim 1 should be reformatted to more clearly identify the substituents.

Claim 1 has been amended, accordingly.

- The Examiner pointed out two typographical errors in claim 1, where numbers and symbols should be subscripts.

These typographical errors in the claim have been corrected.

- The Examiner asserted that claim 5 was indefinite in depending from claim 1, because claim 1 makes no reference to the possibility of including a radioactive or paramagnetic metal. The Examiner suggested making claim 5 an independent claim.

Claim 5 has been rewritten in independent form.

- The Examiner asserted that claim 5 is indefinite because it recites a compound rather than a composition.

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As discussed above, claim 5 and claims dependent thereon have been amended to recite a composition.

- The Examiner pointed out a typographical error in claim 6.

This typographical error has been corrected.

- The Examiner stated that in claim 7, the acronyms SPECT and PET may be used, but need to be accompanied by an explanation of their meanings.

Claim 7 has been amended to include the full terminology for SPECT and PET, as understood by one of ordinary skill in the art.

Similarly, claim 11 has been amended to indicate that MRI refers to "magnetic resonance imaging."

- The Examiner asserted that claim 13 is indefinite because the conditions treated by radiotherapy are not recited.

Claim 13 has been canceled.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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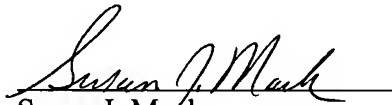
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